

# Exhibit H

# ANDERSON KILL

ATTORNEYS AND COUNSELORS AT LAW

## Jerry S. Goldman

**Shareholder**

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**Practice Areas**

Corporate and Commercial Litigation

Corporate and Securities

Estates, Trusts and Tax Services

White Collar Crime

Employment and Labor Law

Intellectual Property

Corporate Tax

Alternative Dispute Resolution

Foreign Investment Recovery

Jerry S. Goldman is a shareholder in both Anderson Kill's New York and Philadelphia offices. A former prosecutor in Brooklyn, New York, Mr. Goldman has built a highly successful and varied practice serving individuals and closely held businesses throughout the United States.

Mr. Goldman practices in the areas of complex litigation; general business law; white collar criminal defense; estate planning along with estate and trust administration; employment law; federal and international taxation and intellectual property. He is also a member of Anderson Kill's Foreign Investment Recovery Practice group.

He focuses on solving difficult problems by devising creative solutions.

Prior to founding his practice in 1982, Mr. Goldman served as Senior Assistant District Attorney and Senior Supervising Assistant District Attorney in the Kings County District Attorney's Office in Brooklyn, New York. There he gained substantial experience litigating a variety of complex criminal matters and supervising a host of white-collar criminal prosecutions.

Many of Mr. Goldman's engagements have had international law components, ranging from complex litigations involving multi-national parties and claims to transnational business matters.

Mr. Goldman has been mentioned in Who's Who in America, Who's Who in American Lawyers, Who's Who in Entertainment, and the Bar Register of Preeminent Attorneys for both New York and Pennsylvania.

Mr. Goldman is rated "AV® Preeminent™ Peer Review Rated," the top rating, by his peers as listed

in Martindale Hubbell.<sup>1</sup>

### **Representative Engagements**

One of the most challenging litigation matters he has handled is the assumption of co-lead counsel in a series of lawsuits pertaining to the tragedy of 9/11. He represents the individuals murdered by the attacks on September 11, 2001 involving issues relative to the scope of federal jurisdiction as to foreign defendants, the Foreign Sovereign Immunities Act, RICO, and the application of the ATA.

Other representations include:

- represented a member of a health care joint venture in the un-winding of the transaction, including litigation regarding use and ownership of trade-secrets, effectiveness of a non-competition agreement, and allocation of financial assets.
- represented a major handgun manufacturer in successfully defending against parallel investigations brought by the Federal Government and various state attorney generals.
- successfully represented a shipper in an anti-trust action against a major overnight parcel carrier.
- represented an ISP in its acquisition by a regional telecommunication carrier.
- represented an elderly mentally ill woman in a series of actions against one of her children leading to the recovery of her assets.
- represented the operator of a web-site which provided access to various video entertainment in various content agreements as well as those with the providers of various infra-structure and marketing services.
- represented a corporation in structuring and securing multi-tiered financing, including state economic development loans, to construct and equip a new domestic manufacturing facility.
- represented senior level executives in negotiating employment agreements.
- represented a start-up internet membership social networking site aimed at air-travelers, including representation pertaining to corporate structuring, various rounds of financings, agreements with software developers, drafting of privacy policy and terms of services, and ultimately the transfer of its assets as part of its next round of financing.
- represented a group of shareholders of a technology company who sought the removal of certain officers and high-level employees (including the President). The dissidents prevailed - the President and another departed, tendered their interests in the corporation (and returned certain assets which they had taken control of or which were in their name, including valuable intellectual property) and entered into non-competes.
- represented shareholders of an international manufacturer in a stock sale, involving both US and foreign entities.
- represented manufacturer in securing various trademark and copyright licenses.
- represented key employee in structuring acquisition of equity interests in a construction firm and related real estate development company.
- represented a family member in a hotly contested guardianship proceeding involving substantial assets.

- represented the founder of a start-up company in executing a successful exit strategy including the sale of the business coupled with equity in the acquirer along with continued consulting work.

#### **Publications**

"*Guardianship Planning*," AKO Estate Planning & Tax Advisor (Autumn 2011)

"*Supreme Court Serves Notice on 'Notice' Pleading*," AKO Commercial Litigation Advisor (Winter 2009) (with Peter Halprin)

"*A Look at the Implications of the New Power of Attorney Legislation*," AKO Estate Planning & Tax Advisor, Vol. 8, No. 2 (Summer 2009)

#### **Speaking Engagements**

Mr. Goldman has lectured before a variety of professional, trade, business and non-professional audiences on a variety of topics.

#### **Press**

Mr. Goldman is often quoted or cited in the press. The following is a representative sampling:

"*Lawyers React To Supreme Court's Alien Tort Ruling*," Law360 (April 17, 2013)

"*NYU Tries to Move Ahead With Expansion*," The Wall Street Journal (June 2012)

"*Local law firm seeks to reinstate Saudi Arabia as a 9/11 defendant*," Philadelphia Inquirer (March 11, 2012)

"*Justices uphold rejection of 9/11 suit against Saudis*," Philadelphia Inquirer (June 30, 2009)

"*High Court Declines 9/11 Case Against Saudi Arabia*," Law360 (June 29, 2009)

"*Supreme Court Rules 9/11 Families Cannot Sue Saudi Royals*," NY1 News (June 29, 2009)

"*Statement by Counsel for the Family of John P. O'Neill in Response to U.S. Supreme Court's Refusal to Hear 9/11 Victims' Case Against Kingdom of Saudi Arabia and Others*," PRNewswire, Press Release (June 29, 2009)

"*2nd Circuit Immunizes Saudis from September 11 Suit*," Wall Street Journal Law Blog, Philadelphia Inquirer, Newsday, AHN, Law360 (August 2008)

#### **Bar Admissions**

New York, Massachusetts, Pennsylvania, United States Supreme Court, United States Court of Appeals for the Second and Third Circuits, United States District Courts for the Eastern and Southern Districts of New York, United States District Court for the Eastern District of Pennsylvania and United States Tax Court.

#### **Professional Memberships**

Member, American Bar Association; Member, Federal Bar Association

#### **Association Memberships**

Vice President, New York University Alumni Association (present); Vice President and Chair of Alumni Day (Reunion) (2011 and 2012); President (2004-2007); Vice President (2001-2004); Secretary (1998-2001); and, Director (1996-present); College of Arts and Science Alumni Association, New York University; Chair, Costume Cultural Society; Criminal Law Committee; Member of National Association of Criminal Defense Lawyers; Member, Philadelphia and New York Estate Planning Councils; Member, Center City Proprietor's Association; Former Chairman, Upper Southampton Township Planning Commission, Upper Southampton, Bucks County, PA

#### **Board Memberships**

Member Board of Directors, New York University Alumni Association, 1998 to date; Member, Board of Directors (and former counsel) for the Citizen's Crime Commission of the Delaware Valley

#### **Education**

Temple University School of Law, LL.M., Taxation  
Boston University School of Law, J.D.  
New York University (University College), B.A., with Honors in Politics



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# ANDERSON KILL

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## Rene Hertzog

### Attorney

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### Practice Areas

Insurance Recovery

Corporate and Commercial Litigation

Environmental Law

Rene Hertzog is an attorney in the Insurance Recovery group in Anderson Kill's New York office. Ms. Hertzog's practice concentrates on insurance recovery exclusively on behalf of policyholders, corporate and commercial litigation and environmental law. While attending Fordham Law School, Ms. Hertzog was the Cooper Editor for the Fordham Urban Law Journal. Ms. Hertzog also was an active participant in public interest organizations including the Student Hurricane Network, an organization formed by law students in the aftermath of Hurricane Katrina, and traveled to New Orleans to assist local legal services in their recovery efforts. Ms. Hertzog was a board member of Fordham's Student Sponsored Fellowship, Inc., a student run organization dedicated to help fund public interest internships.

Ms. Hertzog was awarded the Archibald R. Murray Public Service Award in 2007 for her commitment to public service while at Fordham Law School. She also participated in the Criminal Defense Clinic and International Justice Clinic.

### Publications

**Book Chapter:** "[Site Pollution Liability Insurance](#)," *Environmental Liability and Insurance Recovery* (American Bar Association: Tort Trial & Insurance Practice Section, May 2012) (with Robert M. Horkovich and Peter A. Halprin)

"[State Laws May Preclude the Arbitration of Insurance Disputes](#)," *AKO Policyholder Advisor*, Volume 21, Number 5 (September/October 2012) (with Alexander D. Hardiman)

"[Current Trends in Site-Specific Environmental Coverage](#)," *AKO Policyholder Advisor* (May/June 2012) (with Robert M. Horkovich and Peter A. Halprin)

### Speaking Engagements

"[Assembling a Dream Team to Maximize Insurance Coverage](#)," PERK RIMS Upstate New York Chapter, Canandaigua, NY (September 17, 2013) (with Dennis J. Artese)

"[Ten Tips for Getting Claims Paid](#)," PERK RIMS Upstate New York Chapter, Canandaigua, NY (September 17, 2013) (with Dennis J. Artese)

**Bar Admissions**

New York, United States District Court for the Southern District of New York, United States District Court for the Eastern District of New York, Eleventh Circuit Court of Appeals, Second Circuit Court of Appeals, Sixth Circuit Court of Appeals, Supreme Court of the United States.

**Education**

Fordham Law School, cum laude, J.D.  
University of Vermont, B.A.

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